

Richard W. Epstein, Esq. (admitted *Pro Hac Vice*)
Jeffrey Backman, Esq. (admitted *Pro Hac Vice*)
Michelle Durieux, Esq. (admitted *Pro Hac Vice*)
GREENSPOON MARDER LLP
200 East Broward Blvd., Ste. 1800
Fort Lauderdale, FL 33301
Tel: 954 491-1120
Facsimile: 954-343-5624
Richard.Epstein@gmlaw.com
Jeffrey.Backman@gmlaw.com
Michelle.Durieux@gmlaw.com

Phillip A. Silvestri, Esq.
Nevada Bar No. 11276
GREENSPOON MARDER LLP
3993 Howard Hughes Parkway, Ste. 400
Las Vegas, NV 89169
Tel: 702-978-4249
Fax: 954-333-4256
Phillip.Silvestri@gmlaw.com

Kimberly Maxson-Rushton
Nevada Bar No. 5065
Gregory Kraemer
COOPER LEVENSON, P.A.
3016 W. Charleston Blvd., #195
Las Vegas, NV 89102
T: (702) 366-1125
F: (702) 366-1857
krushton@cooperlevenson.com
gkraemer@cooperlevenson.com

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DIAMOND RESORTS U.S. COLLECTION
DEVELOPMENT, LLC, a Delaware Limited
Liability Company,

v. Plaintiff,

REED HEIN & ASSOCIATES, LLC d/b/a
TIMESHARE EXIT TEAM, a Washington
Limited Liability Company; BRANDON REED,
an individual and citizen of the State of
Washington; TREVOR HEIN, an individual and
citizen of Canada; THOMAS PARENTEAU, an

|Case No.: 2:17-cv-03007-APG-VCF

**STIPULATION AND ORDER TO
EXTEND DEADLINE TO FILE REPLY
IN SUPPORT OF MOTION TO
COMPEL [ECF #278]**

[Second Request]

1 individual and citizen of the State of
 2 Washington; HAPPY HOUR MEDIA GROUP,
 3 LLC, a Washington Limited Liability Company;
 4 MITCHELL R. SUSSMAN, ESQ. d/b/a THE
 5 LAW OFFICES OF MITCHELL REED
 6 SUSSMAN & ASSOCIATES, an individual and
 7 citizen of the State of California; SCHROETER,
 8 GOLDMARK & BENDER, P.S., a Washington
 9 Professional Services Corporation; and KEN B.
 10 PRIVETT, ESQ., a citizen of the State of
 11 Oklahoma,

12 Defendants.

13 Pursuant to LR IA 6-1 and Fed. R. Civ. P. 6(b)(1)(A) (“FRCP”), Plaintiff Diamond
 14 Resorts U.S. Collection Development, LLC (“Plaintiff”), and Defendant Schroeter Goldmark &
 15 Bender, P.S. (“Defendant”) hereby stipulate to extend Plaintiff’s deadline to file a Reply in
 16 support of Plaintiff’s Motion to Overrule SGB’s Privilege and Work Product Claims and Compel
 17 Discovery [ECF #278] (the “Motion”), currently set for September 25, 2020 until September 28,
 18 2020, and as grounds state as follows:

19 1. Plaintiff filed the Motion on August 11, 2020.
 20 2. Defendant filed its Opposition on September 11, 2020, after a brief extension to
 21 its response deadline.

22 3. As the Court is aware, the question of whether the attorney-client and work
 23 product privileges apply in this case is a fundamental issue in discovery.

24 4. Defendant’s Opposition presents new documents, including a significant
 25 supplements to Defendant’s privilege log that were served concurrently with Defendant’s
 26 Opposition.

27 5. The Parties previously stipulated to extend Plaintiff’s deadline by one week to
 28 evaluate the newly-disclosed documents, however Plaintiff has not been able to complete these
 tasks as quickly as expected.

29 6. Diamond is working diligently on its Reply.
 30 7. In order to adequately respond to Defendant’s Opposition, and the issues
 31 presented therein, the Parties agree that Plaintiff’s deadline to file its Reply in support of the

1 Motion be extended one (1) business day, up to and including September 28, 2020

2 8. This is the Parties' second request for extension of this deadline, and it is not
3 intended to cause any delay or prejudice to any party. Defendant does not object to the requested
4 extension.

5 Dated this 25th day of September, 2020

6 **GREENSPOON MARDER, LLP**

7 **LIPSON NEILSON, P.C.**

8 /s/ Phillip A. Silvestri

9 PHILLIP A. SILVESTRI, ESQ.

10 Nevada Bar No. 11276

11 3993 Howard Hughes Parkway, Suite 400

12 Las Vegas, NV 89169

13 *Attorneys for Plaintiff*

14 *Diamond Resorts Corporation*

5 /s/ Megan H. Hummel, Esq.

6 JOSEPH P. GARIN, ESQ.

7 Nevada Bar No. 6653

8 MEGAN H. HUMMEL, ESQ.

9 Nevada Bar No. 12404

10 9900 Covington Cross Drive, Suite 120

11 Las Vegas, NV 89144-7052

12 *Attorneys for Defendant*

13 *Schroeter, Goldmark & Bender, P.S.*

16 IT IS SO ORDERED

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UNITED STATES MAGISTRATE

19 JUDGE

20 9-25-2020

21 DATED: _____

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system on this 25th day of September 2020. I also certify that the foregoing document is being served this day on all counsel of record or *pro se* parties identified on the Court's Service List via transmission of Notices of Electronic Filing generated by CM/ECF. For any counsel or parties who are not are not authorized to receive Notices of Electronic Filing electronically, I certify that I served those parties via First Class U.S. Mail.

/s/ Phillip A. Silvestri
An employee of Greenspoon Marder LLP

GREENSPOON MARDER LLP
3993 Howard Hughes Parkway, Suite 400
Las Vegas, Nevada 89169
Phone: (702) 978-4249/ Fax: (945) 333-4256